

EXHIBIT “A”



SCHOOL DISTRICT OF PHILADELPHIA EMPLOYEE PERFORMANCE APPRAISAL

Name: Joanne Graham

Department: Office of Secondary Education

Position/Title: Coordinator

Salary Grade: 3408

Current Position Administrator

Salary

Start Date: 5/12/03

Grade Due (5/03):

Period (Mo/Yr): 6/04

Appraisal

Compensation Review (Mo/Yr): 6/04

	Major Objectives/Responsibilities	Percent Weights	Rating	Weighted Rating
1	Report directly to the Executive Director	15	5	
2	Supervise service learning assistant	5	5	
3	Assume the responsibilities of Grant Manager for a federal grant	50	5	
4	Administrative oversight for six youth-driven service learning centers	10	5	
5	Prepare payroll for teachers and liaisons	5	5	
6	Create infrastructure for district-wide service learning program	5	4	
7	Provide professional development	5	4	
8	Meet regularly with field personnel	5	3	

Overall Rating: 4.5

Brief Summary of Results:

Joanne has gone above and beyond the mandates of the position that she was hired for. I am therefore recommending that she receive a 5% increase of her current salary and that her job description be changed to manager with commensurate salary effective July 1, 2004.

Manager's Name and Title: Rosalind Chavis, Executive Director

Manager's Signature:

Date: 06/04

Management Review and Date: _____

Employee Signature:

Date: June 4, 2004

Ratings:

(1) Does not meet expectations. (2) Meets expectations in some areas, but not all. (3) Fully meets expectations in all areas.

(1) Exceeds expectations in most areas, consistently achieves expectations in all areas and exceeds in more than 50% of those areas. (2) Exceeds expectations in all areas.

Major Achievements in Alignment with Major Objectives/Responsibilities		Percent Weights
Report directly to the Executive Director		15%
Joanne has consistently and thoroughly kept the executive director informed on all functions of the service learning initiatives as they relate not only to senior high schools but also to elementary and middle schools. She gives monthly status reports at staff meetings and immediate briefings when she meets with cabinet member and the CFO.		
Supervise service learning assistant		5%
Joanne gives direction and support to a part-time consultant who assists her in furthering the work of that office.		
Assume the responsibilities of Grant manager for a federal Grant		5%
Joanne assumed all of the responsibilities for a large character education grant. She researched and read the grant and immediately prepared documents for the U.S. Department of Education to rectify the district's under utilization of grant funds. She prepared contracts for various vendors (who had already begun work) to satisfy school district regulations.		
Administrative oversight for six youth-driven service learning centers		10%
Joanne standardized operations for these youth-driven service-learning centers that before her tenure had been left to themselves. She meets regularly with them and holds them accountable for grant management.		
Prepare payroll for teachers and liaisons		5%
Joanne prepares the payroll for over 120+ teachers and liaisons.		
Create infrastructure for district-wide service learning program		5%
Joanne created a infrastructure for the implementation of service-learning district-wide which included the identification of regional liaisons who are connected to five schools with five teachers involved in each school, a twenty member advisory board representing over twenty community-based organizations and an exterior evaluator.		
Provide professional development		5%
Joanne has provided on-going professional development for teachers, liaisons, and YDSC directors, all of which have been well attended and appreciated (see binder for agendas, sign-ins and evals).		
Meet regularly with field personnel		5%
Joanne meets regularly with liaisons, YDSC directors, and meets as requested with teachers. Most recently she has convened meetings with the Director of High School Curriculum and K-8 curriculum writers to plan service-learning infusion strategies.		

Goals for 2004 – 2005

- More clearly defined objectives of the Service-Learning infrastructure
- Identify Teacher leaders to provide turn-a-round training and service-learning activities in regions
- Create Service-Learning Website linked to the District
- Create a list serve for service learning educators
- Update binders regularly

I agree to the above goals for 2004-2005

EXHIBIT “B”

THE SCHOOL DISTRICT OF PHILADELPHIA
BOARD OF EDUCATION
55 NORTH 22ND STREET
PHILADELPHIA, PENNSYLVANIA 19103-1396

OFFICE OF HUMAN RESOURCES
EXECUTIVE OFFICE

June 22, 2004

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joanne Graham
8402 Lyons Place
Philadelphia, PA 19153-1903

Coordinator, Service Learning
& Character Education

Dear Ms. Graham:

I regret to notify you that you are terminated without pay from employment with the School District of Philadelphia as of June 30, 2004. This termination is due to the curtailment or alteration of the educational program resulting from the mandate contained in Section 12-203 of the educational supplement to the Philadelphia Home Rule Charter, which requires that proposed expenditures in the adopted budget may not exceed funds available for School District purposes. There is no position for you in the fiscal year commencing July 1, 2004 and ending June 30, 2005.

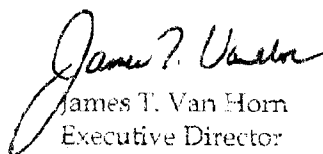
If you are a veteran or the spouse of a deceased or disabled veteran, you may be entitled to additional seniority for purposes of layoff. Please contact the Office of Human Resources at (215) 299-2556 for more information.

You may elect to receive a pay out of your accumulated personal illness days (25%), personal leave days (100%), and vacation days (if applicable). To receive this pay out, please send a written request by mail directly to the attention of: Ms. Janice S. Wagman, Acting Director, Office of Human Resources, Employment Operations, 55 North 22nd Street, 3rd Floor, Philadelphia, Pa 19103, or FAX: 215-299-7402, or email: jwagman@phila.k12.pa.us. Instructions will then be forwarded to the Payroll Department for this action to be taken.

Please be assured that your seniority with the School District will be given full effect in the event funds become available which will make it possible to recall employees.

Thank you for your service to the school children of Philadelphia.

Sincerely,


James T. Van Horn
Executive Director

299 2556/1

C:

Employment Operations
Union

Benefits
General Counsel

Unemployment Services
Records

EXHIBIT “C”

THE SCHOOL DISTRICT OF PHILADELPHIA
BOARD OF EDUCATION
55 NORTH 22ND STREET
PHILADELPHIA, PENNSYLVANIA 19103-1396

OFFICE OF HUMAN RESOURCES
INSTRUCTIONAL SUPPORT STAFFING

TELEPHONE (215) 299-7904
SUBSTITUTE REGISTRATION (215) 299-7895
FAX (215) 299-7402

June 30, 2004

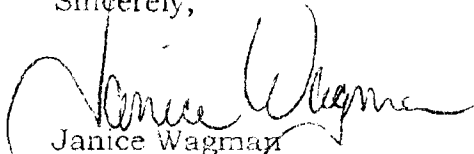
Joanne Graham
8402 Lyons Place
Philadelphia, PA 19153-1903

Dear Ms. Graham:

We are pleased to advise you that as the result of the establishment of a new position allocation, the approval of additional funding, or the re-evaluation of your status, the termination letter previously sent to you has been rescinded. You will remain in your current position. Please disregard any other letter that may have been sent to you.

We wish you continued success in your position.

Sincerely,


Janice Wagman
Acting Director
Employment Operations

JW/je

C:	Employment Operations	Benefits	Unemployment Services
	General Counsel	Records	

EXHIBIT “D”

THE SCHOOL DISTRICT OF PHILADELPHIA
BOARD OF EDUCATION
55 NORTH 22ND STREET
PHILADELPHIA, PENNSYLVANIA 19103-1396

OFFICE OF HUMAN RESOURCES
EXECUTIVE OFFICE

September 15, 2004

Ms. Joanne Graham
8402 Lyons Place
Philadelphia, PA 19153-1903

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Coordinator, Service Learning
and Character Education

Dear Mr. Graham:

I regret to notify you that you are terminated without pay from employment with the School District of Philadelphia as of October 1, 2004. This termination is due to the curtailment or alteration of the educational program resulting from the mandate contained in Section 12-203 of the educational supplement to the Philadelphia Home Rule Charter, which requires that proposed expenditures in the adopted budget may not exceed funds available for School District purposes. There is no position for you in the fiscal year commencing July 1, 2004 and ending June 30, 2005.

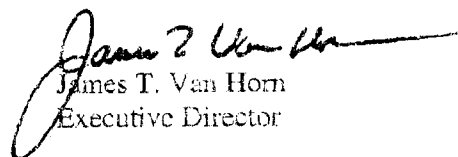
If you are a veteran or the spouse of a deceased or disabled veteran, you may be entitled to additional seniority for purposes of layoff. Please contact the Office of Human Resources at (215) 299-2556 for more information.

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Please be assured that your seniority with the School District will be given full effect in the event funds become available which will make it possible to recall employees.

Thank you for your service to the school children of Philadelphia.

Sincerely,


James T. Van Horn
Executive Director

C:

Employment Operations
Union

Benefits
General Counsel

Unemployment Services
Records

EXHIBIT “E”

COMPLAINT

CITY OF PHILADELPHIA
COMMISSION ON HUMAN RELATIONS
34 SOUTH 11TH STREET, 6TH

Joanne Graham
(Complainant)

COMPLAINT Num: JFAY-68ALRK
DOCKET Num:

W05014237

(Complainant)

vs.

School District of Philadelphia
(Respondent)

(Respondent)

1. The Complainant(s)
herein (is) (are):

(Name) Joanne Graham

(Address) 8402 Lyons Place, Philadelphia, PA 19153

(Name)

(Address)

2. The Respondent(s)
herein (is) (are):

(Name) School District of Philadelphia

(Address) 2130 Arch St., 5th floor, Philadelphia, PA
19103-1390

(Name)

(Address)

3. On or about to wit, 10/01/2004 prior thereto and continuing thereafter, in Philadelphia, Penna., the Respondent(s) discriminated against the black female Complainant, who had complained of discrimination, with regards to terms, conditions and privileges of employment, by, including, but not limited to, harassing her, underpaying her, understaffing her unit, terminating her, while not doing so with white males who previously held the Complainant's position, and seeking to replace her with a white female, all because of her race and/or color and/or sex and/or retaliation for having opposed practices which may be prohibited by the Fair Practices Ordinance.

4. Such actions by the Respondent(s) constitute(s) an unlawful discriminatory practice and is in violation of the following Section(s) of the Philadelphia Code:

9-1103 (A)

☒ (1) ☐ (3) (c) ☒ (6)☐ (2) ☐ (4) (a) ☐ (7)☐ (3) (a) ☐ (4) (b)☐ (3) (b) ☐ (5)

9-1104 (A)

☐ (1) ☐ (6) ☐ (11)☐ (2) ☐ (7) ☐ (12)☐ (3) ☐ (8) ☐ (13)☐ (4) ☐ (9)☐ (5) ☐ (10)

9-1105 (A)

☐ (1) (a)☐ (1) (b)☐ Other

5. No action based on the allegations set forth in this complaint has been instituted by the Complainant(s) with the Pennsylvania Human Relations Commission with respect to the same grievance except as follows:

6. The commercial housing accommodations with regard to which the aforesaid violations occurred are located at the following address(es), in Philadelphia, Pennsylvania:

Subscribed and sworn to before me on this 4th day of

January

2005 at Philadelphia, Pa.

My Commission expires

(Notary Public)

Notarial Seal
Paul P. Williams, Notary Public
City of Philadelphia, Philadelphia County
My Commission Expires Sept. 17, 2008
Member, Pennsylvania Association of Notaries

Joanne Graham
(Complainant)

PHILADELPHIA COMMISSION ON HUMAN RELATIONS

Joanne Graham

DOCKET # E05014237

v

School District of Philadelphia

EEOC # 17GA500123

STATEMENT OF PARTICULARS

The black female Complainant, who was retaliated against, made the following allegations:

1. The Complainant was hired in July 1999. In May 2003, the Complainant became a Service Learning Coordinator in the Office of Secondary Education.
2. In August 2003, the Complainant assumed the responsibility of managing the state and federal Service Learning grants in the Office of Secondary Education; this was in addition to performing her duties as Service Learning Coordinator. The Complainant was responsible for resolving all Service Learning matters that arose. The Complainant worked more than 70 hours per week. The Complainant was not given the salary, title or staff that previous managers, including Ken Holdsman (white/male) and Robert Coccagna (white/male), were afforded.
3. The Complainant asked her supervisor, Rosalind Chivis (black/female), Executive Director, Office of Secondary Education, on several occasions, why she could not receive the salary, title, and staff that were given to Holdsman and Coccagna. Chivis reported the Complainant's concerns to Craig E. Williams (black/male), Deputy Chief Academic Officer. Chivis told the Complainant that, per Williams, she would get a raise and a title change in July 2004, retroactive to August 2003. Chivis also said that, per Williams, the School District did not raise salaries or change titles in the middle of a fiscal year. The Complainant received neither a raise nor a title change in July 2004, but continued to receive increased responsibilities and duties.
4. In May 2004, the Complainant attended a meeting which included Paul Vallas (white/male), CEO, some School Board members, and contractors (City Year). During the meeting, the Complainant indicated that the contractor (City Year) was not meeting compliance standards. The Complainant's statements were not appreciated because those at the meeting, including Vallas, appeared uncomfortable and embarrassed. Shortly thereafter, in June 2004, the Complainant was terminated. She was told by R. Chivis, Executive Director, Office of Secondary Education, that the termination was recommended by P. Vallas, CEO, three times in the past month.
5. A few days later, the Complainant was reinstated. Shortly thereafter, Heather Margolis (white/female), an employee of City Year inquired to C. Williams, Deputy Chief Academic Officer, if the Complainant's position was open. The Complainant was again terminated in September 2004. Chivis, Executive Director, said that, per C. Williams, Deputy Chief Academic Officer, Vallas wanted the Complainant fired. The Complainant had received high marks in performance and was unaware that she was in jeopardy of losing her job.
6. The Respondent discriminated against the Complainant based on her race and/or color and/or sex and/or in retaliation for opposing practices prohibited by the Fair Practices Ordinance.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Philadelphia District Office

The Bourse, Suite 400
21 S. Fifth Street
Philadelphia, PA 19106-2125

EEOC Charge Number: 17GA500123 Date: 1-25-05

Dear Charging Party:

Your charge of employment discrimination as filed with the Philadelphia Commission on Human Relations (PCHR) will also be forwarded to the Philadelphia District Office of the U.S. Equal Employment Opportunity Commission (EEOC) for dual-filing. This dual-filing is done in order to preserve your federal rights as explained below. The EEOC charge number will be assigned by the PCHR in addition to PCHR's own charge number. This letter, which will be sent to you by the PCHR, constitutes your notification of the dual-filing with EEOC. The Respondent named in your charge will also be notified by PCHR of the dual-filing with EEOC.

The EEOC will refrain from any processing of your charge until such time as the PCHR completes its processing and issues final findings and orders. At that time, the PCHR will notify the EEOC of the closure so that EEOC can review the PCHR finding. Those final findings and orders may be adopted by EEOC and the EEOC case would then be closed based on the PCHR proceedings.

However, under Section 1601.76 of EEOC's regulations, you are entitled to request that EEOC perform a Substantial Weight Review of the PCHR's final finding. To obtain this review, you must request it by writing to EEOC within 15 days of your receipt of PCHR's final finding in your case. Otherwise, EEOC will generally adopt the PCHR's findings.

To request a Substantial Weight Review, you should address your request to the address shown in the letterhead above, to the attention of the State and Local Unit. In addition, you should provide as much specific detail as possible as to why you are dissatisfied with the PCHR investigation or finding.

While your charge is being investigated by the PCHR, you should address any concerns or additional information concerning your charge or the PCHR investigation directly to the PCHR. This will ensure that such concerns or information are provided to the appropriate person(s). Please do not contact the EEOC directly as EEOC will not be able to assist you while the charge is being processed by PCHR.

The dual-filing of the charge with EEOC will preserve your rights to file a private lawsuit in federal district court as follows:

EXHIBIT “F”



CITY OF PHILADELPHIA

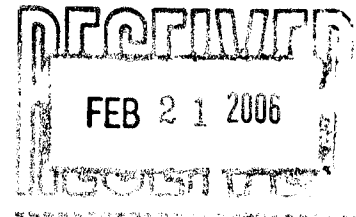
PHILADELPHIA COMMISSION ON
HUMAN RELATIONS
34 South 11th Street, 6th Floor
Philadelphia, PA 19107
Telephone (215) 686-4670
Fax # (215) 686-4684

James S. Allen
Chairperson

Rachel S. Lawton
Acting Executive Director

February 15, 2006

Ms. Karen M Gunter Esq.
Attorney At Law
7323 N. 21st. St.
Philadelphia, PA 19138



RE: Joanne Graham vs School District of Philadelphia
Docket # E05014237

Dear Ms. Gunter:

Following review by the Commission of the above referenced files, this case was dismissed at the Commission meeting of February 15, 2006, with a finding of "Administrative Action" as indicated below:

- ☐ **Failure To Cooperate**
- ☐ **Failure To Locate**
- ☐ **Waiver of Jurisdiction over to EEOC per Complainant's request**
- ☒ **Waiver of Jurisdiction to EEOC for Right to Sue letter**

You have ten days from the date of receipt of this letter to appeal the closure of this case.

Sincerely,

Wilma Holmes
Compliance Supervisor
(215) 686-4663

EXHIBIT “G”



U.S. Department of Justice

Civil Rights Division

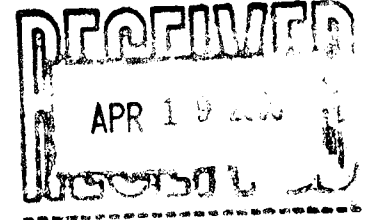
NOTICE OF RIGHT TO SUE
WITHIN 90 DAYS

CERTIFIED MAIL
3510 4211

950 Pennsylvania Avenue, N.W.
Karen Ferguson, EMP, PHB, Room 4239
Washington, DC 20530

April 12, 2006

Ms. Joanne Graham
c/o Karin M. Gunter, Esquire
Law Office of Karin M. Gunter
Attorney at Law
7323 N. 21st St.
Philadelphia, PA 19138



Re: EEOC Charge Against School District of Philadelphia
No. 17G200500123

Dear Mr. Graham:

Because you filed the above charge with the Equal Employment Opportunity Commission, and more than 180 days have elapsed since the date the Commission assumed jurisdiction over the charge, and no suit based thereon has been filed by this Department, and because you through your attorney have specifically requested this Notice, you are hereby notified that you have the right to institute a civil action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq., against the above-named respondent.

If you choose to commence a civil action, such suit must be filed in the appropriate Court within 90 days of your receipt of this Notice.

This Notice should not be taken to mean that the Department of Justice has made a judgment as to whether or not your case is meritorious.

Sincerely,

Wan J. Kim
Assistant Attorney General
Civil Rights Division

by

Karen L. Ferguson
Supervisory Civil Rights Analyst
Employment Litigation Section

cc: Philadelphia District Office, EEOC
School District of Philadelphia